

Exhibit 29

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Counsel for Movant Anthony M. Hernandez Valadez

**IN THE UNITED STATES BANKRUPTCY COURT
 FOR THE DISTRICT OF NEW JERSEY**

In re:	:	Chapter 11
	:	
LTL MANAGEMENT LLC,	:	Case No. 21-30589
	:	
Debtor.	:	
	:	

DECLARATION OF RONALD F. DODSON, Ph.D., F.C.C.P., F.A.H.A.

Pursuant to 28 U.S.C. § 1746, I, Ronald F. Dodson, Ph.D., F.C.C.P., F.A.H.A., declare under penalty of perjury as follows:

1. I have personal knowledge of the facts set forth in this Declaration, except for such facts that have been made known to me in forming an opinion, in which case each such fact is of a type on which professionals in my field reasonably rely in forming such opinions. The facts stated in this Declaration that are within my personal knowledge are true. If asked, I could and would testify competently to the truth of and foundation for each fact and opinion asserted within this Declaration.

2. Attached hereto as **Exhibit A** is a true and correct copy of my curriculum vitae, dated August 21, 2020, which truthfully states my qualifications to provide expert testimony in this action.

3. I received my B.A. in biology and general sciences from East Texas State College, and M.A. in biology and chemistry from East Texas State University. I received my Ph.D. from Texas A&M University, with an emphasis in biological electron microscopy. I conducted postdoctoral studies in the Department of Anatomy at the University of Texas Health Center at San Antonio. I was then appointed to the faculty of Baylor College of Medicine. After serving on the faculty at Baylor for seven years, I was then recruited to the University of Texas Health Center in Tyler to begin a formal research program.

4. At the University of Texas Health Center at Tyler, I held a number of positions and titles, including Chief of the Department of Cell Biology and Experimental Pathology, Chairman of the Department of Cell Biology and Environmental Sciences, Associate Director for Research, Director of the Occupational/Environmental Training Division, Co-Director of the

Texas Institute of Occupational Safety and Health, and Vice President for Research. I also held the position of tenured Professor of Biology at the University of Texas at Tyler.

5. My primary research focus involves determination of dust levels in tissue, body fluids, and environmental samples by light and electron microscopy. My laboratories have developed some of the techniques available for preparation of these samples for analysis by Analytical Transmission Electron Microscopy. I have published over 100 articles on dust-related issues and have given numerous presentations on the same topic. I co-edited two editions of a book with Dr. Samuel Hammar entitled, Asbestos: Risk Assessment, Epidemiology, and Health Effects, currently in its second edition.

6. I retired from academia in 2005. I currently serve as President of Dodson Environmental Consulting, LLC, and as a Senior Consultant for ERI Consulting, Inc. ("ERI"). ERI provides environmental consulting services in a variety of disciplines, including airborne contaminants. I am experienced in performing tissue digestion studies and analyzing results therefrom.

7. In addition to my above-referenced book on asbestos, I have extensively published in peer-reviewed journals on asbestos and asbestos-related diseases—I have authored approximately 140 peer-reviewed publications, and approximately 100 of those concerned asbestos. [*See, e.g.*, Exh. A at pp. 24-40.] Many of my publications address asbestos-caused mesothelioma. I also have taught medical students about asbestos and its ability to cause disease.

8. I have reviewed the scientific literature on asbestos, elongated mineral particles, and talc fibers, and their ability to cause disease. I also have published on the ability of other elongated mineral particles to cause disease. [See, e.g., Exh. A at pp. 37-40.]

9. The World Health Organization's International Agency for Research on Cancer ("IARC") supports my causation opinion in this case. IARC treats asbestiform (fibrous) talc as carcinogenic due to its similarity to asbestos. The 1987 IARC Monographs reported an association between exposure to talc containing asbestiform fibres and mesothelioma and concluded that there is sufficient evidence for the carcinogenicity to humans of talc containing asbestiform fibres.¹ In 2010, IARC published the following clarification for their evaluation of talc carcinogenicity:

The review of talc in Supplement 7 led to evaluations for two agents: talc containing asbestiform fibres and talc not containing asbestiform fibres. **The term ‘asbestiform fibre’ has been mistaken as a synonym for ‘asbestos fibre’ when it should be understood to mean any mineral, including talc, when it grows in an asbestiform habit.** To avoid confusion over the term ‘asbestiform fibre’, the present Working Group decided that **it is scientifically more precise to call the agent ‘talc not containing asbestos or asbestiform fibres’, and this evaluation supersedes the earlier review of talc not containing asbestiform fibres.** The present Working Group also decided to expand the name of the Group-1 agent from ‘talc containing asbestiform fibres’ to ‘talc containing asbestos or other asbestiform fibres’. The present Working Group reviewed the earlier *Monograph* on talc containing asbestiform fibres and determined that the expanded name is consistent with what had been evaluated in Supplement 7. No update was undertaken for this Group-1 agent.² [Emphasis added.]

10. In 2012, IARC again classified talc containing asbestiform fibers as a Group-1 human carcinogen³ and reiterated their position, clarifying again that “talc containing asbestiform fibres” includes asbestiform (fibrous) talc:

Talc may also form true mineral fibres that are asbestiform in habit. In some talc deposits, tremolite, anthophyllite, and actinolite may occur. Talc containing asbestiform fibres is a term that has been used inconsistently in the literature. In some contexts, it applies to talc containing asbestiform fibres of talc or talc intergrown on a nanoscale with other minerals, usually anthophyllite. In other contexts, **the term asbestiform talc has erroneously been used for talc products that contain asbestos.** Similarly, the term asbestiform talc has

¹ IARC Supplement 7 (1987) at p. 350.

² IARC, Carbon Black, Titanium Dioxide, and Talc (2010) at p. 39.

³ IARC, *Arsenic, Metals, Fibres and Dusts*, Volume 100 C, *A Review of Human Carcinogens* (2012) at p. 38.

erroneously been used for talc products that contain elongated mineral fragments that are not asbestiform.⁴

11. Another version of the IARC Monograph issued in 2012⁵ provides that the “conclusions reached in this *Monograph* about asbestos and its carcinogenic risks apply to these six types of fibres [chrysotile, actinolite, amosite, anthophyllite, crocidolite, tremolite] wherever they are found, and *that includes talc containing asbestiform fibres.*” [p. 219 (emphasis added).] Further, IARC concluded that “[t]here is *sufficient evidence* in humans for the carcinogenicity of talc containing asbestiform fibers. Talc containing asbestiform fibres causes cancer of the lung and mesothelioma...Talc containing asbestiform fibers is *carcinogenic to humans (Group 1).*” [*Id.* at 294 (original emphasis).]

12. Consistent with IARC, Lee Poye and I co-authored an article in the peer-reviewed literature reporting the presence of elongated mineral particles in two individuals who were exposed to talc while working in the manufacture of tile products.⁶ In that article, Mr. Poye and I described how we performed a tissue burden analysis to determine the presence of ferruginous bodies and uncoated elongated mineral particles in tissue samples. We found ferruginous bodies in the workers’ lung tissues, as well as elongated talc fibers/ribbons and elevated numbers of noncommercial amphiboles. We concluded that the presence of asbestiform amphiboles and asbestiform talc particulates in the tissues of these individuals raises concerns that other individuals who were similarly exposed to such particulates are at risk of developing mesothelioma. In doing so, we cited to the IARC monographs and noted that the “presence of

⁴ *Id.* at p. 230 (emphasis added).

⁵ This version of IARC 2012 is entitled “Asbestos (Chrysotile, Amosite, Crocidolite, Tremolite, Actinolite, and Anthophyllite).”

⁶ Dodson, R. and Poye, L., *Tissue Burden Evaluation of Elongated Mineral Particles in Two Individuals with Mesothelioma and Whose Work History Included Manufacturing Tile* (Jan. 2020) *Ultrastructural Pathology* at pp. 3-5 and 14.

talc fibers in the tissue of these individuals alone thus offers concern of exposure to a Group One carcinogen based on the IARC position.”⁷

13. Further, my opinions here are supported by the work of Dr. Andrew Churg. For example, Dr. Churg in 1979 explained, "In this report we analyze the cores of asbestos bodies obtained from individuals with low asbestos body counts and show that these bodies also contain amphibole cores. Interestingly, a large percentage of the cores from women are anthophyllite or tremolite. The source for women may be a product used within the home such as cosmetic talc, which is often contaminated with these varieties of asbestos (10, 16)." [Churg, A., et al., *Analysis of the Cores of Ferruginous (Asbestos) Bodies from the General Population* (1979) 40 Int'l. Acad. of Path. 622.] Similarly, Dr. Churg in 1982 explained, "An interesting fact that emerged from the studies mentioned above is that the types of amphibole cores present in asbestos bodies in lungs of members of the general population can be correlated with the sex of the patient: men usually form bodies on the commercial amphiboles amosite and crocidolite, whereas about half of the bodies in women's lungs are formed on anthophyllite and tremolite. (fn. 30) One interpretation of this finding is that the amosite and crocidolite reflect background atmospheric pollution to which everyone is exposed, whereas the anthophyllite and tremolite indicate exposure to some specific products, for example, the talc used in cosmetics." [Churg, A., *Fiber Counting and Analysis in the Diagnosis of Asbestos-Related Disease* (1982) 13 Human Path. 385.] Additionally, Dr. Churg in 1983 reported his findings of talc in the tissues of 19 of 20 patients, and noted, "Cosmetics and powders with talc bases might account for some of the talc found in lungs." [Churg, A., *Nonasbestos Pulmonary Mineral Fibers in the General Population* (1983) 31 Environ. Res. 189, 190, 193, 198.]

⁷ *Id.* at p. 14.

14. Additionally, as an expert consultant, I have documented the presence of asbestos and asbestiform/fibrous talc in individuals with mesothelioma, and I have opined that exposure to such structures was a cause of each individual's mesothelioma. I also have been permitted in trials to offer expert testimony on asbestos-related topics including, among others, pathology, biology, chemistry, and microscopy. I have explained to juries that asbestos and asbestiform/fibrous talc in Johnson's Baby Powder causes mesothelioma; and how I have found asbestos, talc, and talc-associated mineral particles in the tissues of plaintiffs who developed mesothelioma due to their longtime exposures to Johnson's Baby Powder.

15. For example, in *Leavitt*, I explained to the jury that Teresa Leavitt's mesothelioma resulted from her use of Johnson's Baby Powder and her associated exposures to asbestiform structures, including amphibole asbestos and fibrous talc. At that trial, I cited to the IARC monographs because IARC has defined asbestiform talc to include fibers of talc, and has determined them to be – along with asbestos fibers – causative of cancer. I explained that I had performed a tissue-digestion analysis of Mrs. Leavitt's lung tissue, and I showed the jury images of the detected particles of fibrous talc, platy talc, talc ribbons, and mica – all of which also are found in Johnson's Baby Powder talc. I further explained that, based upon all of the testimony, documents, and tissue-digestion results, Mrs. Leavitt's mesothelioma was caused by the asbestos and other elongated mineral particles in Johnson's Baby Powder. There was no evidence of any alternative causes of mesothelioma in Mrs. Leavitt's past.

16. Likewise in *Prudencio*, I explained to the jury that I had performed a tissue-digestion analysis of Christina Prudencio's omentum tissue. The detected mineral particles included talc, mica, aluminum silicates, and cummingtonite – all of which also are found in Johnson's Baby Powder talc. I explained that Ms. Prudencio's peritoneal mesothelioma resulted

from her longtime exposure to that product. In sum, “The fact is that she was exposed to a product, cosmetic talc, that does have fibers in it. I saw nowhere that anyone discovered another source that she was exposed to asbestos-containing material. So, therefore, if fibers cause mesothelioma, then the material talc was actually found in the two samples of omentum that were evaluated by us, and there was one structure -- asbestos structure that was also found in one of the samples by Mr. Poye. And we know from our own studies that the omentum and the mesentery do have fibers that reach those sites in previous publications we’ve done.”

17. I have reviewed the declarations of Anthony M. Hernandez Valadez and his mother Anna Camacho, a true and correct copy of each is attached hereto as **Exhibits B and C**, respectively. I understand that Mr. Valadez is 23 years old and was diagnosed with pericardial mesothelioma. He had virtually lifelong, daily exposures to Johnson’s Baby Powder talc. When Mr. Valadez was a baby, his mother regularly used a lot of Johnson’s Baby Powder talc on him every day, multiple times each day, including during diaper changes, after baths, to treat or prevent diaper rash, and whenever it was needed. His mother packed the baby powder throughout his body, including on his private areas, arms, neck, forehead, armpits, and chest. She applied the powder either directly from the bottle or with her hands. His mother also saw other family members apply Johnson’s Baby Powder on him while he was a baby. Even after Mr. Valadez was no longer wearing diapers, his mother continued using Johnson’s Baby Powder talc on him throughout his childhood. She applied that product in the same way and in the same areas as described above. In addition, his mother applied Johnson’s Baby Powder on his feet and in between his toes, as well as inside his shoes. Mr. Valadez began using Johnson’s Baby Powder talc on himself when he was around 13 years old and continued using it for several years thereafter. He used a lot of Johnson’s Baby Powder talc throughout his body, including on his

chest, armpits, private areas, back, and neck. His mother likewise knows that her son used Johnson's Baby Powder as a teenager because she saw remnants of baby powder on his clothes and armpits. Mr. Valadez used Johnson's Baby Powder talc every day, multiple times each day, including after showers, before going out, or whenever he need to freshen up. He applied that product either directly from the bottle or with his hands. It took at least a couple of minutes for him to apply the powder. Using Johnson's Baby Powder talc in the manner described above always generated visible dust, which he breathed.

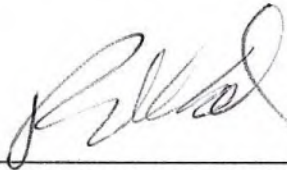
18. Based on my expertise, the scientific literature, the results of tissue-digestion analyses involving other talc-exposed individuals, and the documents I have reviewed regarding Johnson's Baby Powder talc, it is my opinion, to a reasonable degree of scientific certainty, that Mr. Valadez's exposure to asbestos and asbestiform/fibrous talc in Johnson's Baby Powder is the most likely cause of his mesothelioma. Mesothelioma is a cancer known to be caused by exposure to asbestos and asbestiform/fibrous talc structures. Therefore, if a person has mesothelioma, like Mr. Valadez here, the person's known history of exposure to asbestos and asbestiform/fibrous talc structures is an important factor to consider for attribution of the disease. I have not been presented with any information suggesting that Mr. Valadez was exposed to asbestos or asbestiform/fibrous talc structures from a source other than Johnson's Baby Powder talc.

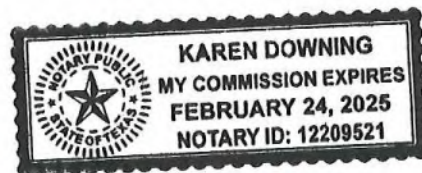
19. Additionally, as shown by the above publications and case examples, tissue-digestion results that confirm the presence of asbestos, talc, and other talc-associated mineral particles in a patient's tissues constitute strong physical evidence – similar to a fingerprint – of the patient's prior exposures to talcum powder, helping to prove causation of the patient's mesothelioma. But such tissue-digestion studies cannot be performed if the patient's tissue

samples are inaccessible and cannot be evaluated as to suitability for testing. That is the problem we face here. I have been advised that the hospitals that are providing the treatment for Mr. Valadez's mesothelioma will not release his tissue samples for testing absent a lawful subpoena or a court order. And yet, because of the injunction in this bankruptcy action, Mr. Valadez and his counsel cannot file any lawsuit that would empower them to issue such a subpoena or to obtain such a court order.

Pursuant to 28 U.S.C. § 1746, I declare under penalty of perjury that the foregoing is true and correct to the best of my knowledge and belief. I executed this Declaration at Tyler, Texas on May 23, 2022.

By:


RONALD F. DODSON, Ph.D., F.C.C.P., F.A.H.A.



Karen Downing
May 23, 2022
Expires February 24, 2025

Exhibit A

1977-83	Member, Research Committee, The University of Texas Health Center at Tyler.
1979-80	Vice Chairman, Human Subjects Investigation Committee, The University of Texas Health Center at Tyler.

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1987	Reviewer for American Review of Respiratory Diseases
1987-91	Editorial Review Board for <u>National Asbestos Council Journal</u>
1988-91	Member, Board of Directors, National Asbestos Council.
1989	Director of Joint Programs for The University of Texas Health Center at Tyler and Critical Environmental Training, Inc.
1989	Adviser to Board of Directors of Critical Environmental Training, Inc.
1989	Editorial Review Board for East Texas Medicine
1990	Member, Board of Directors, Gregg Business Incubator.
1991-2000	Editor for Cytobios
1993-2002	Member, Internal Audit Committee, The University of Texas Health Center at Tyler.
1994-Present	Member, Residency Advisory Committee for Occupational Medicine, The University of Texas Health Center at Tyler.
1997-Present	Adjunct Member of Graduate Faculty, Stephen F. Austin State University, Nacogdoches, Texas.
1998-2001	Member, Capital Steering Committee, The University of Texas Health Center at Tyler.
1998-2002	Member, Campus Master Plan Committee, The University of Texas Health Center at Tyler.
1998-2002	Member, Compliance Program Committee, The University of Texas Health Center at Tyler.
1999-2001	Member, Board of Directors, The Discovery Science Place, Tyler, Texas.
2000-2004	Member, Defense Research Institute.
2002-2005	UTHCT-Infectious Organism Research Review Committee.
2000-Present	Member, Technology Committee of the Tyler Chamber of Commerce.
2003-2005	Member, Hazardous Materials Management Committee.
2001-Present	Member, External Advisory Board, Texas A&M University School of Rural Public Health, College Station, Texas.

PROFESSIONAL EXPERIENCE (Cont'd)

2000-2003 Peer Review Panelist, National Center for Environmental Research and Quality Assurance (EPA).

2003-2005 Member, Delphi Study of Asbestos Health Effects - Round I, Round II, and Round III. Co-Ordinator's of study: Daniel Banks, M.D., Jerry McLarty, Ph.D., Runhua Shi, Ph.D.

2004 International Reviewers Panel (IRP), Medical Science Monitor.

2004 Medical Science Monitor Editorial Board Reviewer.

2006 Reviewer: Journal of Toxicology and Environmental Health

2006 Member: Expert Panel on Biomarkers of Asbestos Exposure and Disease; Agency for Toxic Substances and Disease Registry: Atlanta, Georgia- May 9 and 10, 2006.

2007 Reviewer: Special Issue-Periodico di Mineralogia (Rome)

2007 Reviewer: Environmental Health Editorial

2007 External Reviewer-NIOSH Public Health Practice Project-May 2007

2007 External Peer Reviewer: EPA Draft-Final Report: "A Comparison of the Alternate Asbestos Control Method and the NESHAP Method for Demolition of Asbestos-Containing Buildings"-June 2007

2008 Peer Reviewer: CDC/NCEH/ATSDR-Project Report: "Exposure to Vermiculite from Libby, Montana at 28 Processing Sites in the United States"- March 2008

2008 Program Committee: 2008 Johnson Conference, July 14-18, 2008, Burlington, Vermont

2008 Session Chairman: Health Risks-Johnson Conference July 18, 2008, Burlington, Vermont

2008 Peer Reviewer: EPA Panel-Demonstration of Alternate Control Method Demonstration of Two Asbestos-Containing Buildings-September 11-12, 2008

2008 External Reviewer-NSF Grants

2008 Reviewer-American Journal of Industrial Medicine

2009 Reviewer-Journal of Toxicology and Environmental Health

PROFESSIONAL EXPERIENCE (Cont'd)

2009 Ad Hoc Peer Review Panel Member: Intramural Occupational Research Agenda (NORA) FY10; The National Institute of Occupational Safety and Health (NIOSH)-May 2009

2009 Invited Participant: Workshop Sponsored by NIEHS, USEPA, ATSDR- Asbestos: A Science Based Examination of the Mode of Action Asbestos and Related Mineral Fibers-December 16-17, 2009

2010 Reviewer-Journal of Inhalation Toxicology

2011 Member: Program Committee: 2011 ASTM (D22) Johnson Conference on Asbestos

2011 Co-Chairman: Session-Human Health and Toxicology; Johnson Conference; July 25, 2011-Burlington, Vermont

LICENSURE

1993-Present Texas Department of Health Asbestos O & M Contractor

1995-Present Texas Department of Health Asbestos Operations & Maintenance Supervisor - Restricted.

1995-Present Texas Department of Health Asbestos Inspector.

1997-Present Texas Department of Health Individual Asbestos Management Planner.

PROFESSIONAL AFFILIATIONS AND RECOGNITIONS

New York Academy of Sciences.

Fellowship in the Stroke Council, American Heart Association.

Men of Achievement, 1983.

Who's Who in the South and Southwest, 1984.

Who's Who in Frontiers of Science and Technology, 1986.

Who's Who in Technology Today, 1987.

American Men and Women of Science, 1991.

Who's Who in Science and Engineering, 1993.

American Public Health Association, 1993-present.

PROFESSIONAL AFFILIATIONS AND RECOGNITIONS (Cont'd)

International Academy of Pathology, U.S.-Canadian Division.

Fellowship in American College of Chest Physicians.

Regional Editor - Texas Society for Electron Microscopy Newsletter,
1975-77.

Editor, Southwest Science Forum Newsletter, 1976-77.

Board of Trustees - Northeast Texas Chapter, The National Multiple
Sclerosis Society, 1977-81.

The National Multiple Sclerosis Society, 1977-81.

Chairman, Medical Advisory Committee, Northeast Texas Chapter.

Co-Chairman, Spring Read-A-Thon Committee, Northeast Texas Chapter,
The National Multiple Sclerosis Society, 1980.

Selected as co-host for visit by National Science Foundation's
exchange scientist, Dr. P. N. Viswanathan, Industrial
Toxicology Research Center, Lucknow, India, March 30-April
11, 1980.

Sponsor for two-year postdoctoral study for Tomotoshi Akematsu, M.D.
(Clinical Pathologist, Nishiwaki Municipal Hospital, Hyogo-
Ken, Japan) 1981-83.

Sponsor for one-year postdoctoral study for Hitoshi Maeda, M.D.
(Postgraduate student, Kobe University School of Medicine
Kobe, Japan) 1983-84.

Selected as participant in an international workshop, co-sponsored
by NATO, on the assessment of mineral content in human
lungs, September 17-20, 1984, in Oxford, England.

Selected as Member, Publications Committee, National Asbestos
Council, 1988-91.

Certification through U.S. Environmental Protection Agency course
for "Supervision Procedures and Practices for Asbestos
Abatement Projects".

Special Consultant to the Administration of The University of Texas
at Austin on asbestos related problems, 1985-89.

Special Consultant to the Administration of The University of Texas
System Cancer Center, Houston, Texas, on asbestos related
problems, 1986-89.

Certification through U.S. Environmental Protection Agency course as
asbestos inspector.

PROFESSIONAL AFFILIATIONS AND RECOGNITIONS (Cont'd)

Selected as Member of Texas Department of Health Asbestos Advisory Committee, 1987-92.

Selected as Vice-Chairman, Safety and Health Committee, National Asbestos Council, 1988-91.

Selected as Member of the Board, National Asbestos Council, Texas Chapter, 1989-96.

Selected as Member of the Advisory Committee, California Commercial Council Asbestos Committee, 1988-89.

Selected as Member of the National Asbestos Council Task Force on AHERA State Certification Reciprocity, 1988-89.

Selected as Member of Year 2000 Health Objectives for Texas, Texas Department of Health, 1989-90.

Selected to U.S. Environmental Protection Agency Atmospheric Research and Exposure Assessment Laboratory Peer Review Program, 1990.

Selected as Member of Scientific Advisory Council, Collegium Ramazzini, New York, New York, June 7-9, 1990.

Selected as Member of Steering Committee to conduct a study of higher education needs in the East and Northeast Texas region, 1993-94.

Selected as Chair, Northeast Texas Consortium of universities and community colleges, November 18, 1997.

Inducted into Hall of Honor as Distinguished Alumni in Science at Paris Junior College. Recognition was based on outstanding achievement, distinguished service, and professional leadership, November 14, 1998.

Selected as Secretary/Treasurer, Northeast Texas Consortium of universities and community colleges, September 23, 1999.

Selected as the Houston Endowment, Inc. Distinguished Professor in Environmental Sciences, August, 1999.

Selected as member, Advisory Board, Texas A&M University School of Rural Public Health, August, 2000-2016.

Selected as Executive Vice President, Board of Directors, Discovery Science Place, Tyler Texas, September, 2000.

Selected as "Eminent Scientist" & Outstanding Scholar of the Year 2001, The International Research Promotion Council.

Fellowship in American Heart Association, 2001.

PROFESSIONAL AFFILIATIONS AND RECOGNITIONS (Cont'd)

Clinical Research Center Workshop, Phoenix, Arizona, January 12, 1973.

LECTURES AND PRESENTATIONS (Cont'd)

- Dodson, R.F., Meyer, J.S., Aoyagi, M., and Hartmann, A.: Acute cerebral infarction and hypertension: An ultrastructural study. Abstract presented at the 50th Annual meeting, American Association of Neuropathologists, Boston, June 7-9, 1974.
- Dodson, R.F., Chu, L.W-F, and Tagashira, Y.: Myelinated fiber response in gray matter following acute cerebral infarction, Abstract presented at the Thirty-Second Annual Meeting, Electron Microscopy Society of America, St. Louis, August 14-16, 1974.
- Dodson, R.F. and Tagashira, Y.: Ependymal response in acute cerebral infarction. Abstract presented at the Thirty Second Annual Meeting, Electron Microscopy Society of America, St. Louis, August 14-16, 1974.
- Dodson, R.F. and Tagashira, Y.: Ultrastructural responses of cerebral tissue following periods of ischemic insult. Abstract presented at the Fourth Annual Meeting of the Society for Neuroscience, St. Louis, October 20-23, 1974.
- Tulleken, C.A.F., Meyer, J.S., Ott, E.O., Abraham, J., and Dodson, R.F.: Brain tissue pressure gradients in experimental infarction recorded by multiple wick-type transducers. Abstract presented at the Second International Symposium on Intracranial Pressure, Lund, Sweden, June 17-19, 1974.
- Dodson, R.F.: Chairman, Session III, Pathology, the Thirty-Second Annual Meeting of the Electron Microscopy Society of America, St. Louis, August 14-16. 1974.
- Dodson, R.F.: Chairman, Vascular Pathology Section, the Thirty-Third Annual Meeting of the Electron Microscopy Society of America, Las Vegas, August 11-15, 1975.
- Dodson, R.F., Tagashira, Y., Chu, L.W-F., and Scates, R.W.: Middle cerebral artery response following occlusion with a surgical clamp. Abstract presented at the Thirty-Third Annual Meeting of the Electron Microscopy Society of America, Las Vegas, August 11-15, 1975.
- Dodson, R.F., Tagashira, Y., Chu, L.W-F., and Scates, R.W.: Pericytic alterations in cerebral infarction. Abstract presented at the Thirty-Third Annual Meeting of the Electron Microscopy Society of America, Las Vegas, August 11-15, 1975.
- Dodson, R.F., Tagashira, Y., Chu, L.W-F., and Scates, R.W.: Acute response of cerebral tissue following periods of ischemic insult. Abstract presented at the Thirty-Third Annual Meeting of the Electron Microscopy Society of America, Las

Vegas, August 11-15, 1975.

LECTURES AND PRESENTATIONS (Cont'd)

- Dodson, R.F.: Invited Lecturer - National Institutes of Health. Sponsored by the Laboratory of Neuropathology and Neuroanatomical Sciences, National Institute of Neurological and Communicative Disorders and Stroke; Igor Klatzo, M.D., Chief, Bethesda, Maryland, December 12, 1975. Seminar: Ultrastructural changes following experimental cerebral ischemia in the gerbil.
- Dodson, R.F.: Invited Lecturer - Lamar University, Beaumont, Texas. Sigma Xi lecture series, March 23, 1976. Seminar: The use of animal models in the study of cerebrovascular disease in man.
- Dodson, R.F., Patten, B.M. and Chu, L.W-F.: Ultrastructural change in muscle biopsy from a case of progressive ophtalmoplegia. Abstract presented at the Thirty-Fourth Annual Meeting of the Electron Microscopy Society of America, Miami Beach, Florida, August 8-13, 1976.
- Dodson, R.F., Chu, L.W-F, and Tagashira, Y.: Effects of intracarotid injections of reserpine on cerebral tissue. Abstract presented at the Thirty-Fourth Annual Meeting of the Electron Microscopy Society of America, Miami, Beach, Florida, August 8-13, 1976.
- Dodson, R.F., Welch, K.M.A., and Chu, L.W-F.: Ultrastructural changes following experimental cerebral ischemia in the gerbil. Abstract presented at the Sixth Annual Meeting of the Society of Neuroscience, Toronto, Ontario, Canada, November 7-11, 1976.
- Dodson, R.F., Welch, K.M.A., and Chu, L.W-F.: Cytoarchitectural changes in brains of ischemic gerbils. Abstract presented at the Cerebrovascular Clinical Research Center Workshop, Miami, Florida, February 23-24, 1977.
- Dodson, R.F.: Invited Testimony - Submitted to the Commission for Control of Huntington's Disease and Its Consequences, Regional Meeting for Arkansas, Louisiana, Oklahoma and Texas, held May 3, 1977, at The University of Texas Health Science Center, Dallas, Texas, sponsored by National Institutes of Health, Bethesda, Maryland.
- Dodson, R.F., Chu, L.W-F., and Ishihara, N.: Cerebral tissue response in chronic electrode implantation. Abstract presented at the Joint Meeting of Electron Microscopy Society of America and the International Conference on X-Ray Optics and Microanalysis, Boston, Massachusetts, August 22-26, 1977.

LECTURES AND PRESENTATIONS (Cont'd)

- Dodson, R.F., Chu, L.W-F., and Miyakawa, Y.: Cerebral response to ischemia induced by the embolism model. Abstract presented at the Joint Meeting of Electron Microscopy Society of America and International Conference on X-Ray Optics and Microanalysis, Boston, Massachusetts, August 22-26, 1977.
- Dodson, R.F.: Invited lecturer - Texas Eastern University, Tyler, Texas, School of Science and Mathematics Seminar Series, September 21, 1978. Seminar: The application of animal models to the understanding of ultrastructural pathogenesis of human diseases.
- Dodson, R.F., Williams, M.G. Jr., and Hurst, G.A.: Neutrophil response to intratracheally injected asbestos. Abstract presented at the Joint Meeting of Electron Microscopy Society of America and Microbeam Analysis Society, San Antonio, Texas, August 13-17, 1979.
- Williams, M.G. Jr., Dodson, R.F., and Hurst, G.A.: A Technique for Studying Single Cells by Light, Transmission and Scanning Microscopy. A presentation at the Joint Meeting of Electron Microscopy Society of America and Microbeam Analysis Society, San Antonio, Texas, August 13-17, 1979.
- Dodson, R.F.: Moderator and Coordinator - Symposia on Asbestos in Schools, jointly sponsored by The University of Texas Health Center at Tyler, (Departments of Cell Biology and Environmental Sciences and Epidemiology/Biomathematics), Texas Department of Health, Region 7, and the Texas Air Control Board, Air Quality Control Region 12; held at The University of Texas Health Center at Tyler, Tyler, Texas, September 19, 1979.
- Dodson, R.F.: Guest Faculty, Invited Lecturer. Electromicroscopic study of experimental asbestosis: The coated and uncoated fibers. Presented in 3-day Symposia on Asbestos Associated Diseases October 11-13, 1979, at Baylor College of Medicine, Houston, Texas, sponsored by The Office of Continuing Education, Baylor College of Medicine, Houston, and co-sponsored by The American Society of Clinical Pathologists and The Houston Society of Clinical Pathologists.
- Dodson, R.F., Hurst, G.A., and Williams, M.G., Jr.: Short-Term Response of Lung Parenchyma Following "Amosite" Asbestos Exposure. Presented at the American Thoracic Society/ Canadian Thoracic Society Meeting, Environmental and Occupational Health Assembly, Washington, D.C., May 19, 1980.

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O'Sullivan, M.F., Corn, C., Dodson, R.F., and Hurst, G.A.: The influence of inflation level on the ultrastructure of pleura. Presented at Electron Microscopy Society of America, Washington, D.C., August 10, 1982.

Dodson, R.F.: Invited Lecturer -- Baylor College of Medicine, Houston, Texas, Department of Pathology Monthly Research Seminar, December 15, 1982. Seminar: Asbestos: Something Old/Something New.

Dodson, R.F., Greenberg, S.D., Williams, M.G., and Corn, C.: Ferruginous body content from lung tissue of occupationally and non-occupationally exposed groups. Presented at International Academy of Pathology Meeting, Atlanta, Georgia, February 28, 1983.

Dodson, R.F.: Invited Lecturer -- The University of Texas at Tyler, Tyler, Texas, March 8-9, 1983. Lecture given on Pathological Responses of the Lung at Pathophysiology course for nurses.

Dodson, R.F.: Invited Lecturer -- The University of Texas at Tyler, Tyler, Texas, May 2-3, 1983. Lecture given on Cancer at Pathophysiology course for nurses.

Lawrence, E.C., Fox, T.B., Hall, B.T., Putman, M., Greenberg, S.D., Mace, M.L., Dodson, R.F. and Martin, R.R.: Effects of amosite asbestos on human pulmonary alveolar macrophage functions. Presented at American Thoracic Society Meeting, Kansas City, Missouri, May 8, 1983.

Dodson, R.F., Akematsu, T., Williams, M.G., O'Sullivan, M.F., and Hurst, G.A.: Acute response of lung parenchyma to volcanic ash. Presented at Electron Microscopy Society of America, Phoenix, Arizona, August, 1983.

Ford, J.O., Dodson, R.F., Williams, M.G., and Hurst, G.A.: The blood/air barrier as defined by horseradish peroxidase in the normal guinea pig lung. Presented at Electron Microscopy Society of America, Phoenix, Arizona, August, 1983.

Davis, M.L., Lewandowski, J., Dodson, R.F., and Hurst, G.A.: Ultrastructure of the bronchiolar epithelium in the guinea pig. Presented at Electron Microscopy Society of America, Phoenix, Arizona, August, 1983.

Ford, J.O., and Dodson, R.F.: Endocytosis of amosite asbestos by Paramecium Multimicronucleatum. Presented at Texas Society for Electron Microscopy Meeting, Tyler, Texas, October, 1983.

Council, San Antonio, Texas, February 20, 1990.

LECTURES AND PRESENTATIONS (Cont'd)

- Dodson, R.F.: Invited Lecturer -- Comparison of fiber burdens of parenchyma, lymph nodes and pleural plaques in shipyard workers. Presented at Collegium Ramazzini, "The Third Wave of Asbestos Disease: Exposure to Asbestos in Place," New York, New York, June 7, 1990.
- Levin, J., Shepherd, R., Kronenberg, R. and Dodson, R.: Making the diagnosis: asbestos and benign pleural disease. Presented at the 1990 Fall Technical Conference and Exposition of the National Asbestos Council, Phoenix, Arizona, September 12, 1990.
- Fraire, A.E., Greenberg, S.D., Roggli, V.L., Cartwright, J., Dodson, R., Williams, G. and el-Naggar, A.: Light microscopic, ultrastructural and flow cytometric findings in rat pleural mesothelial cells following crocidolite asbestos inoculation. Presented at the American College of Chest Physicians 56th Annual Assembly, Toronto, Ontario, Canada, October 22-26, 1990, Chest 98:66S.
- Dodson, R.F., Williams, M.G., Corn, C.J., Brollo, A. and Bianchi, C.: Nonasbestos fiber burden in individuals exposed to asbestos. Presented at the NATO Advanced Research Workshop on Mechanisms in Fibre Carcinogenesis, Albuquerque, New Mexico, October 21-26, 1990.
- Friedman, W., Ewing, W., and Dodson, R.F.: Asbestos fiber length - current issues. Presented at National Asbestos Council 8th Annual Asbestos Management Conference and Exposition, New Orleans, Louisiana, February 19-22, 1991.
- Dodson, R.F., Ewing, E., Ewing, W., Oppenheim-McMullen, J., and Millette, J.: Assessing risk in buildings containing asbestos. Presented at American Public Health Association 119th Annual Meeting, Atlanta, Georgia, November 13, 1991.
- Dodson, R.F., O'Sullivan, M., Corn, C.J., Garcia, J.G.N., Stocks, J.M., and Griffith, D.E.: Nonasbestos ferruginous bodies in bronchoalveolar lavage. Presented at American Thoracic Society International Conference, Miami, Florida, May 18, 1992.
- Fraire, A.E., Greenberg, S.D., Spjut, H.J., Roggli, V.L., Dodson, R., Cartwright, J. and Williams, G.: Histopathologic characterization of rat pleural mesothelium following intrapleural inoculation with fiber glass. Presented at XIX International Congress of the International Academy of Pathology, Madrid, Spain, October 18-23, 1992.

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- Fraire, A.E., Greenberg, S.D., Spjut, H.J., Cartright, J. Roggli, V.L., Dodson, R., and Williams, G.: Histopathologic, ultrastructural and flow cytometric characterization of fiberglass-induced pleural mesothelioma in the fischer 344 rat. Presented at XVII World Congress on Diseases of the Chest, Amsterdam, June 13-18, 1993.
- Aust, A.E., Lund, L.G., Williams, M.G., and Dodson, R.F.: Iron associated with asbestos bodies is responsible for the formation of single-strand breaks in øX174 RFI DNA. Presented at Oxygen Radicals and Lung Injury Conference, Morgantown, West Virginia, August 30 to September 2, 1993.
- Fraire, A.E., Greenberg, S.D., Spjut, H.J., Roggli, V.L., Dodson, R. F, Williams, G. and Baker, S.: Erionite induced pleural changes in the Fischer 344 rat. Presented at the ALA/ATS International Conference, Boston, Massachusetts, May 22-25, 1994.
- Dodson, R.F., O'Sullivan, M., and Corn, C.J.: The ratio of ferruginous body content to the types of uncoated asbestos fibers in occupational and paraoccupational cohorts. Presented at American Thoracic Society International Conference, Seattle, Washington, May 24, 1995.
- Dodson, R.F. and Hammar, S.P.: Invited Lecturer -- Asbestos fiber burden in lung tissue of patients with malignant mesothelioma in the Northwest United States. Presented at the Society for Ultrastructural Pathology meeting, Washington, D.C., March 24, 1996.
- Levin, J.L., Frank, A.L., Rountree, P.P., Shepherd, J.R., Dodson, R.F., and Crossman, R.: Invited Lecturer -- The role of electron microscopy. In Postgraduate Seminar: Occupational Pneumoconioses Update. Presented at the American Occupational Health Conference, San Antonio, Texas, April 26-May 3, 1996.
- Frank, A.L., Dodson, R.F., and Williams, M.G.: Lack of tremolite in UICC reference chrysotile and the implications for carcinogenicity. Presented at the Inhaled Particles VIII Meeting, Cambridge, England, August 26-30, 1996.
- Fraire, A.E., Dodson, R.F, Williams, G., Dickson, E. and Corn, C.: Do asbestos (ferruginous bodies form in extrapulmonary sites? An experimental study in a guinea pig model. Presented at the XXI International Congress of the International Academy of Pathology, Budapest, Hungary, October 20-25, 1996.

LECTURES AND PRESENTATIONS (Cont'd)

- Levin, J., O'Sullivan, M., Corn, C., and Dodson, R.: Ferruginous bodies formed predominantly on chrysotile cores. Presented at the Third International Symposium, *Impact of Cancer Biotechnology on Diagnostic and Prognostic Indicators in Predictive Oncology and Therapy* in Nice, France, October 26-28, 1996.
- Atkinson, M.A.L., Tate, R., Williams, M.G., and Dodson, R.: Erionite, a fibrous zeolite, binds iron and induces DNA single-strand nicks. Presented at 6th International Congress on Cell Biology and 36th American Society for Cell Biology Annual Meeting, San Francisco, California, December 7-11, 1996, Molecular Biology of the Cell 7:144A.
- Williams, M.G., Crossman, R.N., Dodson, R.F.: Results from a search for tremolite asbestos in UICC chrysotile B. Presented at the EIA Meeting, New Orleans, Louisiana, March 25, 1997.
- Dodson, R.F., O'Sullivan, M.F., Huang, J., Hammar, S.P.: Invited Lecturer -- Asbestos in extrapulmonary sites-omentum and mesentery tissue. Presented at 6th International Conference on Environmental & Occupational Lung Disease in Vancouver, British Columbia, Canada, February 11, 1999.
- Hammar, S.P., Dodson, R.F.: Pulmonary Granulomatosis in Association Intraparenchymal Birefringent Material. Presented at Pulmonary Pathology Meeting and Medical Symposium, Asheville, North Carolina, August 25-27, 1999.
- Dodson, R.F.: The role of fiber analysis in the diagnosis and attribution of asbestos-related diseases. Presented at Pulmonary Pathology Meeting and Medical Symposium, Asheville, North Carolina, August 25-27, 1999.
- Dodson, R.F.: The medical and scientific aspects in the quantitative analysis of ferruginous bodies and asbestos fibers. Present at Defense Research Institute's Asbestos Personal Injury Litigation Seminar, November 2-3, 2000
- Williams, M.G., Crossman, R., Dodson, R.F.: Asbestos Release During Floor Tile Removal. Presented at EPA Conference on Asbestos Health Effects, Oakland, California - May 23-26, 2001.
- Dodson, R.F., Atkinson, M.A.L: Invited Presentation: Asbestos Burden in Tissue: Little Things Mean a Lot. Presented at the ASTM Johnson Conference, Burlington, Vermont, July 18-22, 2005.
- Dodson, R.F., Invited Presentation: Extrapulmonary Exposure to Asbestos, First Meeting of the Committee on Asbestos: Selected Health Effects, Institute of Medicine-Division of Population Health and Public Health Practice; Washington,

DC; July 26, 2005.

LECTURES AND PRESENTATIONS (Cont'd)

Dodson, R.F., Invited Speaker: Measurements of Asbestos Fibers in Tissues: Presented in the Session: Asbestos and Man-made Mineral Fibers: Conference-Framing the Future in the Light of the Past: Living in a Chemical World 2005-Third International Scientific Conference; Collegium Ramazzini; Bologna, Italy; September 18-21, 2005.

Dodson, R.F. Invited Speaker: Asbestos Medicine-A Prognosis on the Future of Asbestos Disease: Presented-Mealey's National Asbestos Litigation Conference, Boston, Mass. September 18, 2006.

Dodson, R.F. Keynote Address: Asbestos and Human Health: Something Old, Something New, and a Lot of Unknowns: Presented at the Twenty-fifth Anniversary Meeting of the Environmental Information Association, Albuquerque, New Mexico. March 17, 2008.

Dodson, R.F. Presentation: Mesothelioma-What We Know Based on Tissue Analysis for Asbestos, Johnson Conference, Burlington Vermont, July 18, 2008.

Dodson, R.F. Invited Witness-Topic: Asbestos and Mesothelioma; State of Texas Senate Committee for State Affairs, Austin, Texas; March 23, 2009.

Dodson, R.F. Invited Panel Member and Speaker: The Physical Aspects of Asbestos/Elongated Minerals and Reaction with Tissue. Panel 1: Toxicology: Workshop on the NIOSH Research Roadmap on Asbestos Fibers and Other Elongated Mineral Particles; Institute of Medicine-National Research Council, National Academy of Sciences; Washington D.C. March 30, 2009.

Dodson, R.F. Invited Speaker: Fiber Burden Analysis-The What's The Why's and The How's; National Asbestos Litigation Conference, September 23-25, San Francisco, California.

Dodson, R.F. Invited Panel Member: Exposure Team; Asbestos: A Science-Based Examination of the Mode of Action of Asbestos and Related Mineral Fibers; Sponsored by National Institute of Environmental Health Sciences, NIEHS Superfund Research Program, U.S. Environmental Protection Agency, Agency for Toxic Substances and Disease Registry. December 16-17, 2009; Chapel Hill, North Carolina.

Dodson, R.F. Presentation: Observations from Quantitative Analysis of Tissue Burden for Elongated Particles by Light and/or Transmission Electron Microscopy as Relate to Attribution of Mesothelioma, ASTM-Johnson Conference, Burlington Vermont July 25, 2011

LECTURES AND PRESENTATIONS (Cont'd)

Dodson, R.F. Invited Presentation: Identification and Quantification of Asbestos Burden; in Current Concepts and Controversies in Asbestos-Related Disease; Massachusetts General Hospital/Department of Pathology Harvard Medical School, May 5-6, 2012; Boston, Massachusetts.

Dodson, R.F. Presentation: Asbestos in air and tissue samples-Now you see them. Now you don't! Texas EIA Technical Seminar; September 28, 2012; Houston, Texas

Dodson, R.F. Invited Presentation: "What Can Be Learned from Tissue Burden of Elongated Mineral Particles"! Workshop: Mineral Fibers in the Upper Midwest. EPA Mid Continent Laboratories in Duluth, MN. October 6-7, 2015

Poye, L.W. and Dodson RF. Invited Presentation: Variables in Identification of Tissue Burden of Asbestos Fibers in Human Tissue Based on Preparation, Instrumentation and Magnification: Collegium Ramazzini, Carpi, Italy October 27, 2016.

LECTURER FOR EPA AND OSHA TRAINING COURSES

Dodson, R.F.: Lecturer -- Health Effects of Asbestos Exposure. Presentations for the Texas Engineering Extension Service of The Texas A&M University System Asbestos Training Programs, 1986-1992:

1. An Interdisciplinary Training Program for Supervision of Procedures and Practices of Asbestos Abatement.
2. Asbestos Worker Training Program
3. Asbestos Inspector/Manager Training Course.

Dodson, R.F.: Lecturer -- Health Effects of Asbestos Exposure. Presentations for The University of Texas Health Center at Tyler and Critical Environmental Training, Inc. Asbestos Training Programs, 1988, 1989:

1. An Interdisciplinary Training Program for Practices and Procedures of Asbestos Abatement for Supervisors and Contractors.
2. An Interdisciplinary Training Program for Building Inspector for Asbestos Abatement Projects.
3. NIOSH 582 7400 Method - ORM (Air Sampling Course).

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- Dodson, R.F., Tagashira, Y., Kawamura, Y., and Chu, L.W-F.: Morphological; responses of cerebral tissue following temporary periods of ischemia. *Canad J Neurol Sci*, August:173-177, 1975.
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Chapters in Books (Cont'd):

Hammar, S.P. and Dodson, R.F.: Asbestos. In Dail and Hammar's *Pulmonary Pathology*, Vol.3 Editor-Tomashefski, JF. Springer-Verlag, 2008, pp. 950-1031.

Hammar, SP, Henderson, DW, Klebe, S and Dodson, RF: Neoplasms Of the Pleura. In Dail and Hammar's *Pulmonary Pathology*, Vol.3 Editor-Tomashefski, JF. Springer-Verlag, 2008, pp 558-734.

Dodson, R.F.: Analysis and Relevance of Asbestos Burden in Tissue. In: Dodson, R.F. and Hammar, S.P. (Ed): *Asbestos-Risk Assessment, Epidemiology, and Health Effects*, Second Edition; Boca Raton, Fl.: Taylor and Francis Publishing, 2011.

Lemen, R.A., Dodson R.F.: Asbestos-Patty's Industrial Hygiene and Toxicology, Chapter 83. Sixth Edition, Vol. 5, Eds: Eula Bingham and Barbara Cohrssen. John Wiley & Sons, Inc. 2012.

Dodson, R.F., Levin J.L., Rountree PP: Chapter 1-Health Effects, First Edition: In: Thomas G. Laubenthal-Editor-in-Chief: "Managing Asbestos in Buildings: A Guide for Owners and Managers-A Revision to the United States Environmental Protection Agency's 1985 document "Guidance for Controlling Asbestos-Containing Materials in Buildings" (EPA 560/85-024) Known as the Purple Book; Published by the Environmental Information Association, Inc. First Edition, March 2015.

Books:

"Asbestos: Risk Assessment, Epidemiology, and Health Effects"- Edited by Ronald F. Dodson, Ph.D. and Samuel P. Hammar, M.D. CRC Press, 2006

"Asbestos: Risk Assessment, Epidemiology, and Health Effects"- Edited by Ronald F. Dodson, Ph.D. and Samuel P. Hammar, M.D., Second Edition, CRC Press, 2011

"Managing Asbestos in Buildings: A Guide for Owners and

Managers-A Revision to the United States Environmental Protection Agency's 1985 document "Guidance for Controlling Asbestos-Containing Materials in Buildings" (EPA 560/85-024) Known as the Purple Book-Steering Committee: Canna K, Cavness B, Dodson RF, Ewing WM, Hays SM, Hogue DW, Kahane D, Kynock JB, Laubenthal TG, Millette JR, Oberta AF, Schrum MW, Webber JS: Thomas G. Laubenthal, Editor-in-Chief, First Edition March, 2015.

Respirable Elongated Mineral Particles and Human Health-Revisited-Special Edition Editor-Ronald F. Dodson, Ph.D. Journal of Toxicology and Environmental Health, Part B: Critical Reviews, Volume 19, 2016.

DECLARATION OF ANTHONY M. HERNANDEZ VALADEZ

I, Anthony M. Hernandez Valadez, declare:

1. I am an adult over the age of 18 years and have personal knowledge of the facts expressed in this declaration. If asked, I could and would testify to the truth of such facts.

2. I am 23 years old and have been a lifelong resident of California.

3. In January 2022, I was diagnosed with mesothelioma. After subsequent scans, it is my understanding that my doctors have determined that I have pericardial mesothelioma.

4. I was born on September 23, 1998. When I was a baby, it is my understanding that my mother regularly used Johnson's Baby Powder talc on me, including during diaper changes and whenever it was needed. My mother and other family members continued using Johnson's Baby Powder talc on me throughout my childhood as part of my regular hygiene routine.

5. I first used Johnson's Baby Powder talc on myself when I was around 13 years old. I continued using that product for several years thereafter. During that time, I used a lot of Johnson's Baby Powder talc throughout my body, including on my chest, armpits, private areas, back, and neck. I used Johnson's Baby Powder talc every day, multiple times each day, including after showers, before going out, or whenever I need to freshen up. I applied that product either directly from the bottle or with my hands. It took me at least a couple of minutes to apply the powder. I used Johnson's Baby Powder talc because it was effective in combating sweat and odors. I also liked the product's fresh smell. Johnson & Johnson was a brand that I trusted.

6. Johnson & Johnson never warned me about its talc baby powder's asbestos content or asbestos-related health hazards, including cancer. If Johnson & Johnson warned me of such hazards, I would have never used its talc baby powder.

7. I do not recall any circumstance in which I or anyone in my household would have been in or around any dusty environments other than through my use of Johnson's Baby Powder. Before my diagnosis, I worked part-time as a customer service representative at Home Depot earning \$15 per hour. At that job, I only helped customers buy doors and windows. I did not do any hands-on work with any tools, products, or any other machinery. Nor was I ever around any dusty environment. Prior to Home Depot, I was a customer service representative at Target and

8. Prior to my mesothelioma diagnosis, I was an outgoing person who loved spending time with friends and family. For example, my friends and I often went out for dinner or lunch. I also enjoyed working and often worked overtime because of the camaraderie and several of my friends worked with me. I also enjoyed creative writing. Before my diagnosis, I was attending classes at Merced Community College and was only three semesters away from completing my Associates Degree. After obtaining that degree, I intended to transfer to a university in Southern California to major in criminology in the hopes of working in law enforcement or as a private investigator.

10. I understand that this disease is terminal. No words can express my sadness in

A Professional Law Corporation

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(510) 302-1000 • Fax: (510) 835-4913 • www.kazanlaw.com

Anthony M. Hernandez Valadez

Exhibit C

DECLARATION OF ANNA CAMACHO

I, Anna Camacho, declare:

1. I am an adult over the age of 18 years and have personal knowledge of the facts expressed in this declaration. If asked, I could and would testify to the truth of such facts.

2. I am the mother of Anthony M. Hernandez Valadez (“Anthony”). He is the eldest of my two sons. Anthony suffers from and has been diagnosed with pericardial mesothelioma.

3. When Anthony was a baby, I regularly used a lot of Johnson’s Baby Powder talc on him every day, multiple times each day, including during diaper changes, after baths, to treat or prevent diaper rash, and whenever it was needed. I packed the baby powder throughout Anthony’s body, including on his private areas, arms, neck forehead, armpits, and chest. I applied the powder either directly from the bottle or with my hands. I also saw other family members apply Johnson’s Baby Powder on Anthony while he was a baby.

4. Even after he was no longer wearing diapers, I continued using Johnson’s Baby Powder talc on Anthony throughout his childhood. I applied that product in the same way and in the same areas that I previously mentioned in the paragraph above. In addition, I applied Johnson’s Baby Powder on Anthony’s feet and in between his toes, as well as inside his shoes.

5. Anthony began using Johnson’s Baby Powder talc on himself when he was around 13 years old and continued using it for several years afterwards. I know that Anthony was using Johnson’s Baby Powder talc because the product was in the house and I saw remnants of baby powder on Anthony’s clothes and armpits. I also reminded Anthony to use Johnson’s Baby Powder because it was effective in combating odors and sweat.

6. Using Johnson’s Baby Powder talc on Anthony always generated dust. Anthony breathed that dust.

7. I was the person in the household who bought Johnson’s Baby Powder that was used on or by Anthony. The powder was in an all-white bottle. The twist cap was also white. The name “Johnson’s” in script appeared on the front of the bottle. We always had multiple bottles of Johnson’s Baby Powder around the house. When Anthony was a baby, I always had a bottle of Johnson’s Baby Powder in his diaper bag. I always bought the largest size of baby powder

Kazan, McClain, Satterley & Greenwood

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1 available. I also bought the travel size bottle. We used so much Johnson's Baby Powder that I
2 bought it every two weeks from various retail and grocery stores, including Lucky, Safeway,
3 Target, and Walmart. I have photographs that depict bottles of that product throughout the family
4 home at various stages of Anthony's life. Johnson & Johnson's was a brand I trusted.



8. Johnson & Johnson and the retailers that sold its talc baby powder never warned
me about the product's asbestos content or asbestos-related health hazards, including cancer. If
Johnson & Johnson and the retailers warned me of such hazards, I would have never used
Johnson's Baby Powder talc on me, Anthony, or his brother.

9. I do not recall any circumstance in which I or anyone in my household would have
been in or around any dusty environments other than through my use of Johnson's Baby Powder.
For most of Anthony's life, I was a stay-at-home mother who raised and cared for Anthony and
his brother. It was not until 2007 did I start working again. In 2007, I did yard duty and office

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work at a school. I currently work an office job at the local cemetery. Anthony's father, Michael Valadez, died when Anthony was four years old. Michael did not work for pay because he was receiving aid from a federal assistance program for families with dependent children. Michael had no interaction with Anthony during Anthony's childhood. My current husband is a residential gardener who mows lawns and does landscaping. I never saw any dust on my, Michael's, or my current husband's work clothes. Anthony and I never lived in or near any industrial areas or dust-generating facilities.

10. I am in shock that Anthony has a terminal illness at such a young age. I care for Anthony every day and words cannot describe how his mesothelioma has negatively affected his mental and physical well-being. Anthony was outgoing and hardworking before his diagnosis. Now, he is suffering from anxiety and depression. He also experiences shortness of breath, extreme fatigue, and debilitating pain throughout his body. This disease has greatly traumatized me and Anthony. I highly doubt that we will ever recover from it.

11. I understand that Anthony's disease is terminal. Since his mesothelioma, Anthony has been admitted to the emergency department several times for complications related to his mesothelioma. I live in fear every day because I do not know whether today will be Anthony's last.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct, and that I signed this declaration at Merced, California on April 8, 2022.



 Anna Camacho

Exhibit 30

Marc E. Wolin, Esq.
mwol@saiber.com
 John M. August, Esq.
jaugust@saiber.com
 SAIBER LLC
 18 Columbia Turnpike, Suite 200
 Florham Park, NJ 07932
 Tel: (973) 622-8401

-and-

Steven Kazan, Esq.
skazan@kazanlaw.com
 Joseph D. Satterley, Esq.
jsatterley@kazanlaw.com
 Denyse F. Clancy, Esq.
dclancy@kazanlaw.com
 KAZAN, McCLAIN, SATTERLEY & GREENWOOD
 A Professional Law Corporation
 Jack London Market
 55 Harrison Street, Suite 400
 Oakland, CA 94607
 Tel: (510) 302-1000

Counsel for Movant Anthony Hernandez Valadez

**IN THE UNITED STATES BANKRUPTCY COURT
 FOR THE DISTRICT OF NEW JERSEY**

In re:	:	Chapter 11
	:	
LTL MANAGEMENT LLC,	:	Case No. 21-30589
	:	
Debtor.	:	
	:	

DECLARATION OF ROBERT W. JOHNSON

Pursuant to 28 U.S.C. § 1746, I, Robert W. Johnson, declare under penalty of perjury as follows:

1. I have personal knowledge of the facts set forth in this Declaration, except for such facts that have been made known to me in forming an opinion, in which case each such fact

is of a type on which professionals in my field reasonably rely in forming such opinions. The facts stated in this Declaration that are within my personal knowledge are true. If asked, I could and would testify competently to the truth of and foundation for each fact and opinion asserted within this Declaration.

2. I am a forensic economist. A copy of my curriculum vitae is attached hereto as **Exhibit A**. In 1973, I obtained a master's degree in Business Administration from Stanford University Graduate School of Business, with a major in finance and investments. In 1970, I obtained a bachelor's degree in Business Administration with a major in economics and finance from the Baruch College of the City of New York. I also have post-graduate training with the Strategic Planning Institute and the American Management Association.

3. I am a member of the American Economic Association, the Western Economic Association, and a founding member of the National Association of Forensic Economics. I am also a licensed life and disability agent.

4. I have worked for Donaldson Lufkin & Jenrette as a Securities Analyst where I analyzed and made stock recommendations to the 100 largest financial institutions in the United States. I was an analyst and portfolio manager for the American Express Investment Management Company. I have also worked as an assistant to the director of Strategic Planning for a division of HRB Singer Inc. where I directed mergers and acquisitions.

5. In 1988, I founded Robert W. Johnson & Associates. I have been involved in several thousand wage loss evaluations, for both plaintiffs and defendants over the past 30 years. About 40 percent of them involved personal injury cases like this. I have testified in over 100 trials as a forensic economist, on behalf of both plaintiffs and defendants, including the Kansas City Hyatt Regency collapse, the United Airlines 232 air disaster, and the Cypress structure

collapse in Oakland, California. I have also testified in asbestos-related cases on behalf of plaintiffs, including those pertaining to allegations of the plaintiff's exposure to Johnson's Baby Powder.

6. Attached as **Exhibit B** is a true and correct copy of my May 2, 2022, Economic Impact Report for Anthony Hernandez Valadez's potential personal-injury case. As detailed in my report, I have calculated the present cash value of Mr. Valadez's economic loss using generally accepted statistical techniques and econometric methods of analysis. Based on my calculations, as shown in my report, Mr. Valadez will suffer economic damages of nearly \$3.7 million as a result of his injury. Specifically, he will suffer (i) in excess over \$1.9 million in lost expected income, (ii) over \$375,000 lost in Social Security income, and (iii) losses of over \$1.38 million in household services income.

7. I was also asked to assess, in economic terms, the financial condition of Johnson & Johnson ("J&J"). The financial condition encompasses the areas of financial health, wealth, and economic status. My opinions about J&J's financial condition are based, in part, on my experience, training, and knowledge as a forensic economist. In forming these opinions, I have reviewed and relied upon the following: (i) J&J's 10K forms from 2018 to 2021; (ii) J&J's Proxy Statement from 2022; (iii) J&J's 10-Q Report, dated April 3, 2022; and (iv) market capitalization data from the Wall Street Journal and YCharts.

8. In 2021, J&J had over \$93 billion in sales, with average sales per day of over \$257 million.¹ Since 2017, J&J's total sales have increased each year:

<u>Year</u>	<u>Total Sales</u>
2021	\$93.8 Billion
2020	\$82.6 Billion
2019	\$82.1 Billion
2018	\$81.6 Billion

¹ 2019-2021 10-K reports

<u>Year</u>	<u>Total Sales</u>
2017	\$76.5 Billion

9. In 2021, J&J had \$20.9 billion in net earnings, which reflects an increase of \$6.2 billion compared to its \$14.7 billion in net earnings in 2020. J&J also has \$10.5 billion in cash on hand. And since 2019, J&J's net worth has increased:

<u>Year</u>	<u>Net Worth²</u>
2022	\$74.7 Billion
2021	\$74.0 Billion
2020	\$63.3 Billion
2019	\$59.5 Billion

10. In 2021, J&J was sufficiently profitable to pay its stockholders \$11 billion in dividends. The dividends J&J has paid its shareholders from 2017 through the first quarter of 2022 are summarized below:

<u>Year</u>	<u>Dividends Paid</u>
2022	\$2.8 Billion ³
2021	\$11.0 Billion
2020	\$10.5 Billion
2019	\$9.9 Billion
2018	\$9.5 Billion
2017	\$8.9 Billion

11. Also, J&J's stock market capitalization in May 2022 was over \$464.8 billion.⁴ This is nearly \$110 billion higher than J&J's market capitalization of about \$355 billion in the beginning of 2019.⁵ In June 2021, when the United States Supreme Court refused to consider J&J's challenge to a St. Louis jury's 2018 verdict in *Ingham* totaling \$2.1 billion, J&J's market capitalization was over \$435 billion.⁶ In the months following J&J's payment of that multi-

² 2018-2021 10-K Reports; 4/3/22 10-Q Report.

³ Through the first quarter of 2022.

⁴ Wall Street Journal at https://www.wsj.com/market-data/quotes/JNJ?mod=searchresults_companyquotes (as of May 20, 2022).

⁵ Testimony of Christopher Picariello, Johnson & Johnson Consumer Inc.'s vice president of finance, at 8:23-9:17 and 135:7-136:17, attached hereto as **Exhibit C**.

⁶ J&J market capitalization data from YCharts at https://ycharts.com/companies/JNJ/market_cap

billion-dollar verdict, J&J's market capitalization has consistently increased. For example, in August 2021, J&J's stock market valuation was nearly \$472.5 billion. Just last month, J&J's market capitalization was over \$489 billion. Hence, since 2019, J&J has grown its market value by over \$100 billion. As of May 20, 2022, J&J's stock price is over \$177 per share, up 9% since February 25, 2022.

12. Based on my analysis, it is my opinion that talc litigation has had no effect on J&J's market valuation and overall financial condition. J&J is a financially sound and growing company with over \$93 billion in sales and \$20.9 billion in net earnings in 2021. The company has \$10.5 billion in cash on hand. Also, J&J is sufficiently profitable to pay its stockholders because 2021 marked the 60th consecutive year that J&J has increased the dividends paid to its shareholders. Even after payment of the *Ingham* verdict, J&J's market capitalization continues to increase in the billions of dollars.

Pursuant to 28 U.S.C. § 1746, I declare under penalty of perjury that the foregoing is true and correct to the best of my knowledge and belief. I executed this Declaration at LOS
ALTOS, California on May 20, 2022.

By: 

ROBERT W. JOHNSON

Exhibit A

Robert W. Johnson & Associates

FORENSIC ECONOMISTS

CURRICULUM VITAE

Robert W. Johnson

EDUCATION

Stanford University Graduate School of Business

Palo Alto, California MBA - Major: Finance & Investments, 1973

Baruch College - New York, New York

B.A., Business Administration - Major: Economics, 1970

Continuing Education

American Management Association and Strategic Planning Institute: strategic planning and mergers & acquisitions.

PROFESSIONAL HISTORY

1988 to Present

ROBERT W. JOHNSON & ASSOCIATES - Los Altos, California

President. Expert witness in cases involving Human Value of Life (quantifying non-economic damages) Analysis. Expert witness, for both plaintiff and defense, in cases deciding economic damages in personal injury, wrongful death, lost business profits, breach of contract, and wrongful terminations. The cases have ranged from asbestosis, birth trauma, medical malpractice, products liability to punitive damages. Qualified as an expert witness at the state and federal level in over 40 states.

1982 to 1988

LEGAL ECONOMIC EVALUATIONS INC. - Palo Alto, California

President. Expert witness in cases (both plaintiff and defense) deciding lost business profits, personal injury, breach of contract, pensions and wrongful terminations. Experienced in trial testimony, efficient discovery, depositions, the cross-examination of opposing experts, and determining critical path through a case.

1981 to 1982

LEGAL ECONOMETRICS INC. - San Francisco, California

Senior Consultant. Directed economic analysis of cases involving lost business profits, anti-trust, wrongful death and personal injury. Experienced in determining critical path through cases, efficient discovery and cross-examination of opposing experts.

1981

FMC CORP - San Jose, California

Assistant to Group Controller. Coordinated and approved all capital expenditures (\$75 million per year) for \$2.5 billion Defense Equipment Group.

CURRICULUM VITAE

1979 - 1981

HRB SINGER INC. - State College, Pennsylvania

Assistant to Vice President. Directed corporate acquisition policy and special situations analysis involving strategic analysis of corporate divisions.

1977 - 1978

RWJ INC. - State College, Pennsylvania

Owner. Manufacturer.

1975 - 1977

FUEL CRISIS INC. - New York, New York

Vice President of Marketing. Directed national marketing program.

1973 - 1975

AMERICAN EXPRESS INVESTMENT MANAGEMENT CO – San Francisco,
California

Securities Analyst/Portfolio Manager. Analyzed and made stock recommendations for six industries and managed part of a \$700 million mutual fund.

1972 - 1973

DONALDSON LUFKIN & JENRETTE - New York, New York

Securities Analyst. Analyzed and made stock recommendations to the 100 largest financial institutions in the U.S.

Security Clearance Level - Secret

PROFESSIONAL ASSOCIATION AND LICENSE

Member of the American Economic Association.

Member of the Western Economic Association.

Founding Member of the National Association of Forensic Economists.

Licensed life and disability agent. Broker of structured settlements.

CASE INVOLVEMENT (partial list)

ADAMS v. AMERICAN AIRLINES - Retained as economic expert by the defense to analyze the economic loss to the plaintiff's family as a result of his death in the Chicago DC-10 accident.

CURRICULUM VITAE

PUBLICATIONS

"Structuring Settlements: A Negotiating Guide", New York Trial Lawyers Quarterly, 1983 Vol. 15, No. 3.

"Valuing Defined Benefit Pension Plans", American Journal of Trial Advocacy, Vol. 7, No. 1. Fall 1983.

"Negotiating Structured Settlements", American Bar Association Journal, May 1984., Vol. 70.

"The Economical Use of an Economist", Presented to the Contra Costa Trial Lawyers Association, November 1982.

"Negotiating Structured Settlements", California Trial Lawyers Association, January 1984.

"Structured Settlements Analyzed", San Diego Trial Bar News, October-December 1983, Vol. 6, No. 9 & 10.

Structured Settlements, New York Lawyers Co-operative Publishing Co., 1986.

Johnson and Ben-zion: Implementing California Code § 3361: Ensuring damage estimates comply with state law. CAOC Forum, Vol. 51, No. 1, 2021.

Exhibit B

ECONOMIC IMPACT REPORT

Robert W. Johnson & Associates

4984 El Camino Real Suite 210 Los Altos, CA 94022

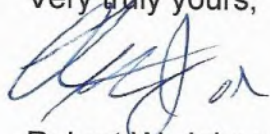
PERSONAL INJURY
Economic Impact Report

Anthony Valadez

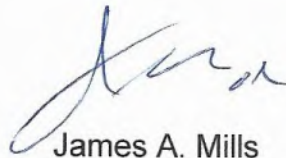
Robert W. Johnson & Associates
Los Altos, CA

If we can be of further assistance, please call either of us.

Very truly yours,



Robert W. Johnson



James A. Mills

PERSONAL INJURY - ECONOMIC IMPACT REPORT
Re: Anthony Valadez

Name: Mr. Anthony Valadez

Date of birth: 9/23/1998

Age at date of loss: 23

Gender: Male

Date of loss: 1/4/2022

Date of report: 5/2/2022

Expected Employment: Retail Sales Associate

This report quantifies the economic damages of this case. It does not include any non-economic damages.

All future losses, expenses, mitigating income, etc. (if applicable), beyond the current year are brought to a present value using the appropriate discount rates as discussed on the following page(s).

PERSONAL INJURY - ECONOMIC IMPACT REPORT
Re: Anthony Valadez

This analysis calculates the present value of Mr. Valadez's economic damages, starting 1/4/2022, until the end of his life expectancy. Future economic damages are reduced to present value using current U.S. Treasury (zero coupon strips) yields for each respective year in the future. This analysis does not consider loss of society or any other non-economic issue. This economist reserves the right to amend this opinion based upon more current or relevant data and evidence admitted at the time of trial.

Expected Income:

This analysis estimates Mr. Valadez's Expected Income for the remainder of 2022 to be \$30,936, in 2023 through 2062 to be \$31,248 per annum, and in 2063 to be \$22,811 as a retail sales associate based on information supplied by 1040 tax forms*. Mr. Valadez's fringe benefits are estimated to be 9.25% of his Expected Income based on information supplied by counsel, the U.S. Bureau of Labor Statistics, and the Social Security Administration. Mr. Valadez's Expected Income is increased by an average growth rate of 3.9%. Mr. Valadez's Expected Income is calculated until the end of his work-life capacity in the year 2063.

Social Security Income:

This analysis estimates Mr. Valadez's Social Security Income for the remainder of 2065¹ to be \$4,623, in 2066 through 2077 to be \$17,124 per annum, and in 2078 to be \$12,501 based on information supplied by the Social Security Administration*. Mr. Valadez's Social Security Income is increased by an average growth rate of 3.5%. Mr. Valadez's Social Security Income is calculated until the end of his life expectancy in the year 2078.

Household Services:

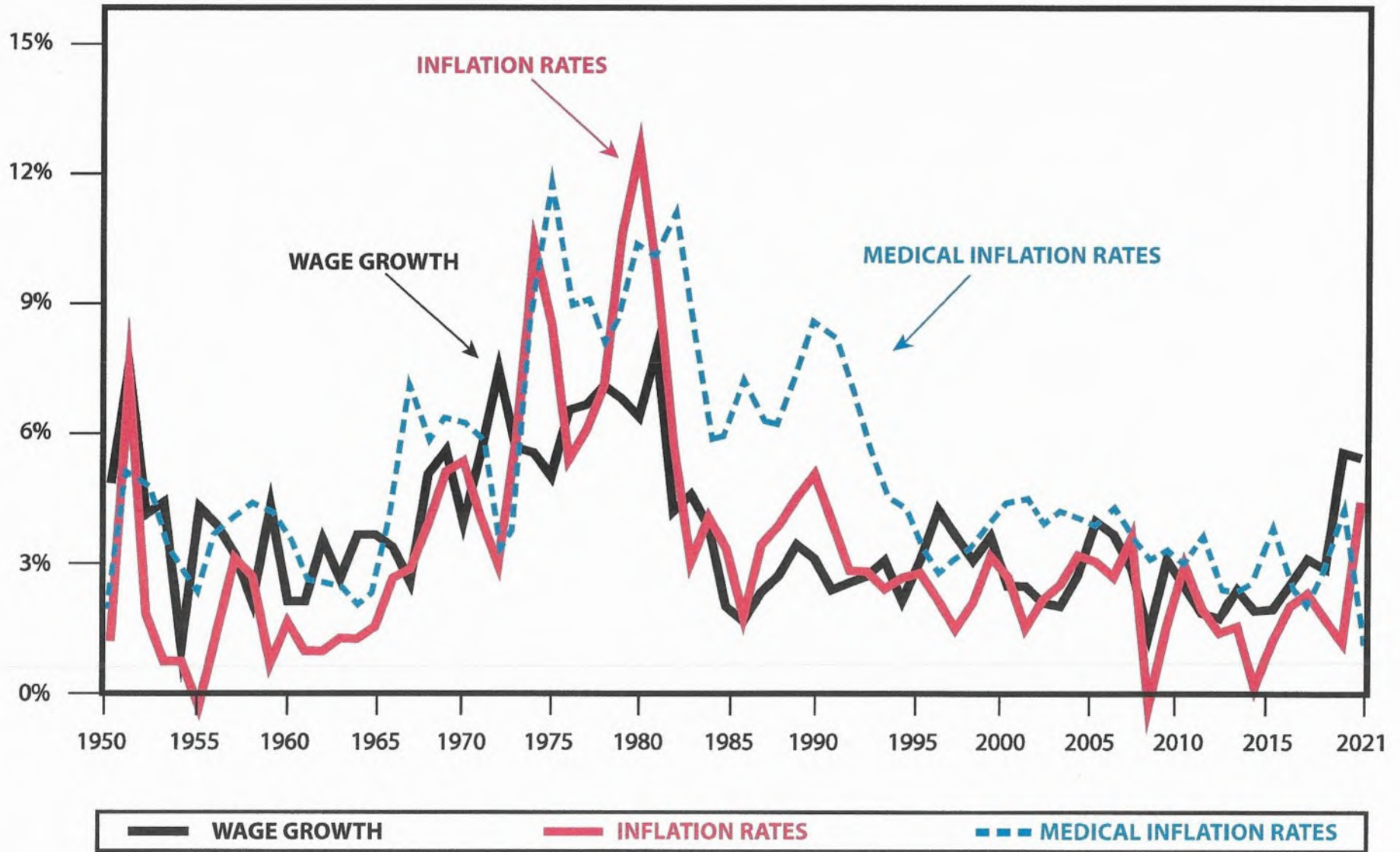
This analysis estimates Mr. Valadez's Household Services for the remainder of 2022² to be \$13,048, in 2023 through 2062 to be \$14,338 per annum, in 2063 to be \$16,274, in 2064 through 2075 to be \$21,508 per annum, and in 2076 to be \$15,701 based on information supplied by the 2020 Dollar Value of a Day Study*. Mr. Valadez's Household Services are increased by an average growth rate of 3.9%. Mr. Valadez's Household Services are calculated until the end of his life expectancy, less two years.

¹ This analysis begins calculating Mr. Valadez's Social Security Income loss on 9/23/2065, at age 67.

² This analysis begins calculating Mr. Valadez's Household Services on 2/1/2022, per counsel.

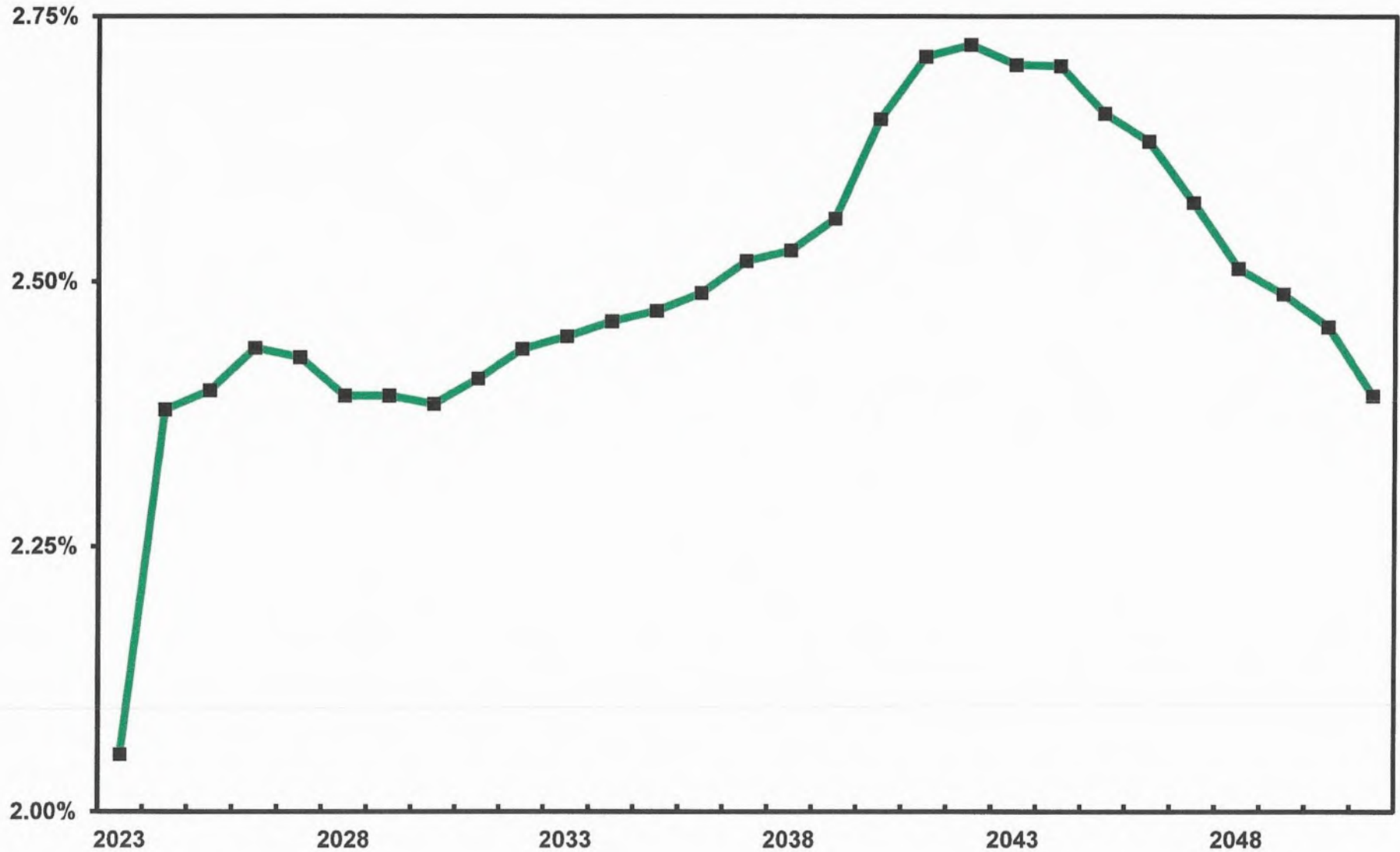
* This is not the Future Value adjusted for growth.

Wage Growth & Inflation Rates 1950 - 2021



U.S. Treasury Zero Coupon Strips*

2023 - 2051

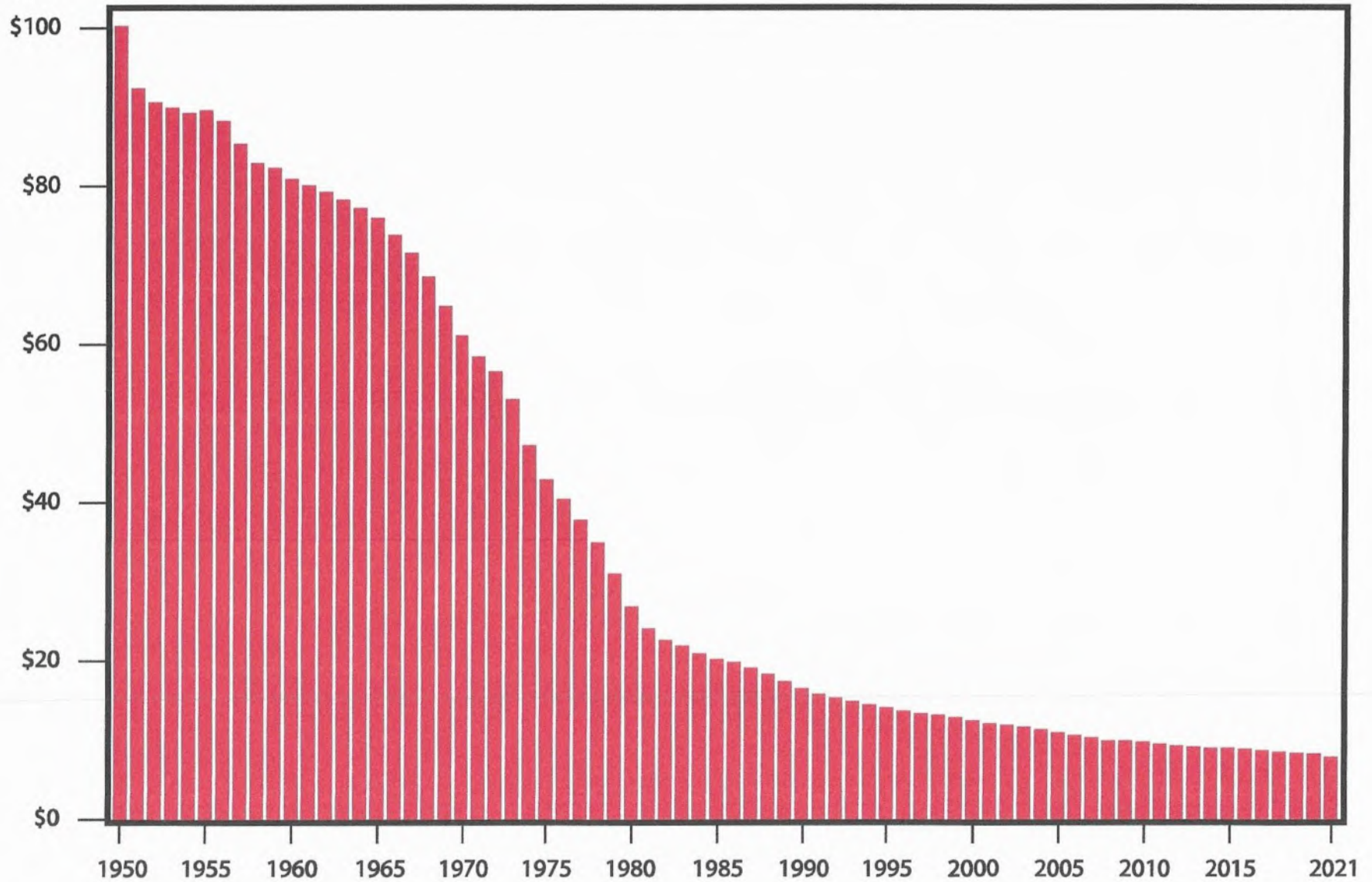


Robert W. Johnson & Associates

Source: Charles Schwab & Co. 3/31/2022

*Principal Only - Notes & Bonds

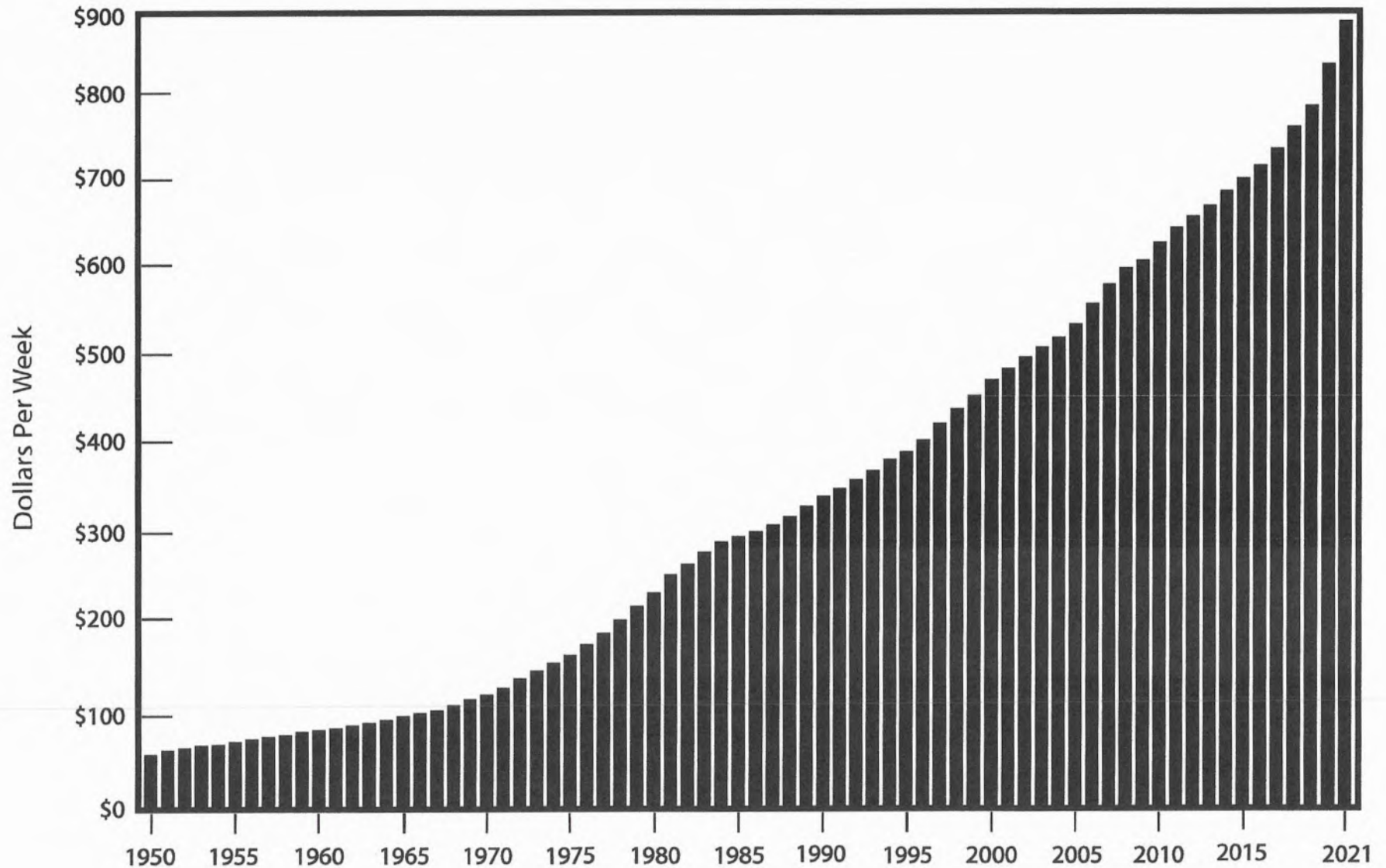
Decline in the Purchasing Power of \$100 1950 - 2021



Robert W. Johnson & Associates

Source: Economic Report of the President, 1991 - 2022;
The U.S. Bureau of Labor Statistics

Average Weekly Earnings in Private Non-Agricultural Industries 1950 - 2021



Year	Present Value
2022	33,798
2023	34,766
2024	35,180
2025	35,694
2026	36,172
2027	36,715
2028	37,333
2029	37,893
2030	38,487
2031	38,985
2032	39,457
2033	39,981
2034	40,493
2035	41,021
2036	41,508
2037	41,907
2038	42,418
2039	42,784
2040	42,647
2041	42,708
2042	43,122
2043	43,799
2044	44,331
2045	45,315
2046	46,157
2047	47,406
2048	48,793
2049	49,782
2050	50,912
2051	52,603
2052	53,393
2053	54,195
2054	55,009
2055	55,835
2056	56,674
2057	57,525
2058	58,389
2059	59,267

PERSONAL INJURY - ECONOMIC IMPACT REPORT

Re: Anthony Valadez

Expected Income	
Year	Present Value
2060	60,157
2061	61,060
2062	61,978
2063	45,924
Total	1,931,573

Year	Present Value
2065	7,253
2066	27,148
2067	27,434
2068	27,723
2069	28,014
2070	28,309
2071	28,607
2072	28,909
2073	29,213
2074	29,520
2075	29,831
2076	30,145
2077	30,463
2078	22,473
Total	375,042

PERSONAL INJURY - ECONOMIC IMPACT REPORT
Re: Anthony Valadez

Household Services

Year	Present Value
2022	13,048
2023	14,602
2024	14,776
2025	14,992
2026	15,192
2027	15,421
2028	15,680
2029	15,915
2030	16,164
2031	16,374
2032	16,572
2033	16,792
2034	17,007
2035	17,229
2036	17,433
2037	17,601
2038	17,815
2039	17,969
2040	17,912
2041	17,938
2042	18,111
2043	18,396
2044	18,619
2045	19,032
2046	19,386
2047	19,910
2048	20,493
2049	20,908
2050	21,383
2051	22,093
2052	22,425
2053	22,762
2054	23,104
2055	23,451
2056	23,803
2057	24,161
2058	24,524
2059	24,892

PERSONAL INJURY - ECONOMIC IMPACT REPORT

Re: Anthony Valadez

Household Services

Year	Present Value
2060	25,266
2061	25,645
2062	26,031
2063	29,989
2064	40,230
2065	40,834
2066	41,447
2067	42,070
2068	42,702
2069	43,343
2070	43,994
2071	44,655
2072	45,326
2073	46,007
2074	46,698
2075	47,399
2076	35,121
Total	1,380,642

PRESENT VALUE CALCULATION

This report quantifies the economic damages of this case. It does not include non-economic (general) damages.

The lost wages and earning capacity are assumed to increase in the future. The wage growth rates used in this report were determined from post-war (1950 - 2021) U.S. economic data and are illustrated in the attached chart. The economic data for the period of 1950 - 1963 has been adjusted to incorporate post 1963 data set changes. Future lost wages and earning capacity are also assumed to be adjusted to present value based on current interest rates. The interest rates used in this report are current yields on U.S. Treasury Securities, also illustrated in an attached chart.

In cases where the subject's wage growth is assumed to track the national average and he/she has no expected job changes, it is assumed that wages will remain constant after the present year. Wage growth, inflation, and interest rates are all accounted for in the present value process.

Similar to the present value process for lost wages and earning capacity, anticipated future expenses and medical costs are also assumed to increase in the future. The inflation rates used in this report were determined from post-war (1950 - 2021) U.S. economic data and are illustrated in the attached chart. Future expenses and medical costs are also assumed to be adjusted to present value based on current interest rates.

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Exhibit C

502-582-1627

1 VIDEOTAPED DEPOSITION of CHRISTOPHER PICARIELLO,
2 taken in the above-entitled matter before RICH GERMOSEN,
3 Certified Court Reporter, (License No. 30XI00184700),
4 Certified Realtime Court Reporter-NJ, (License No.
5 30XR00016800), NCRA/NY/CA Certified Realtime Reporter,
6 NCRA Registered Merit Reporter, New York Association
7 Certified Reporter, NCRA Realtime Systems Administrator,
8 taken at BLANK ROME, 300 Carnegie Center, Suite 220,
9 Princeton, New Jersey 08540, on Friday, January 11,
10 2019, commencing at 9:18 a.m.

1 A P P E A R A N C E S:

2

3

4 KAZAN McCLAIN SATTERLEY & GREENWOOD

5 BY: DENYSE F. CLANCY, ESQ.

6 55 Harrison Street

7 Suite 400

8 Oakland, California 94697

9 (510) 302.1000

10 dclancy@kazanlaw.com

11 Attorneys for the Plaintiffs

12

13 SKADDEN ARPS SLATE MEAGHER & FLOM LLP

14 BY: CHRISTOPHER D. COX, ESQ.

15 Four Times Square

16 New York, New York 10036

17 (212) 735.2603 / (917) 777.2603 (FAX)

18 christopher.cox@skadden.com

19 Attorneys for the Defendant,

20 Johnson & Johnson

21

22

23

24

25

1 A P P E A R A N C E S: (CONT'D.)

2

3

4 DENTONS USA LLP

5 BY: ERIN CARPENTER, ESQ., (via speakerphone)

6 4675 MacArthur Court

7 Suite 1250

8 Newport Beach, California 92660

9 (949) 732.3700

10 erin.carpenter@dentons.com

11 Attorneys for the Defendants,

12 Imerys Talc America, Inc.; Imerys Talc Vermont; and

13 Cyprus Mining Corporation

14

15 ALSO PRESENT:

16 ERIC BENCIVENGO, Legal Video Specialist

17

18

19

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1	E X H I B I T S (CONT'D.)		
2	EXHIBIT NO.	DESCRIPTION	PAGE
3	Exhibit 13	document entitled Exhibit C	110
4			
5	Exhibit 14	document entitled at the	126
6		bottom Created for Purposes	
7		of Litigation	
8			
9	Exhibit 15	flash drive	130
10	**original exhibits (except Exhibit 7) returned with		
11	original transcript by COULTER REPORTING LLC to KAZAN		
12	McCLAIN SATTERLEY & GREENWOOD		
13	(exhibit index concluded)		
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1 -----

3 9:18 a.m.

4 Princeton, New Jersey

6 THE VIDEOGRAPHER: Stand by, please.

7 We're now on the video record. This
8 is the video deposition of Christopher Picariello,
9 taken on Friday, January 11, 2019, at 9:18 a.m. All
10 counsel present will be noted on the stenographic
11 record and the court reporter will now swear in the
12 witness.

13 COURT REPORTER: (Complies.)

14 (Whereupon, the court reporter
15 administered the oath to the witness.)

17 C H R I S T O P H E R P I C A R I E L L O,
18 199 Grandview Road, Skillman, New Jersey, having been
19 first duly sworn or affirmed, was examined and
20 testified as follows:

21 EXAMINATION BY MS. CLANCY:

22 BY MS. CLANCY:

23 Q. Good morning. Could you please state
24 your name for the record.

25 A. Yes. It's Christopher Picariello.

1 Q. And what is -- where do you work,
2 Mr. Picariello?

3 A. I work in Johnson & Johnson Consumer,
4 Inc. in Skillman, New Jersey.

5 Q. And what is your job title there?

6 A. My job title there is vice-president
7 of finance.

8 Q. Vice-president of finance?

9 A. Yes.

10 Q. And how long have you been with
11 Johnson & Johnson Consumer, Inc.?

12 A. 20 -- for Consumer, Inc., about a
13 year and a half.

14 Q. And where were you prior to that?

15 A. I was with other parts of Johnson &
16 Johnson subsidiaries, so I've been with Johnson &
17 Johnson for over 23 years.

18 Q. I see.

19 And what other subsidiaries have you
20 worked for?

21 A. I worked with Janssen Research &
22 Development. I worked with Janssen NV in Belgium,
23 our Belgium subsidiary, and I've worked at Ortho
24 Biotech and our corporate headquarters.

25 Q. And do you understand that you're

1 you're referencing?

2 Q. Sure.

3 I've got the 10-K. Hold on one sec.

4 Here, I'll move on top, let me go back to that

5 question because I've got to find my copy of the

6 10-Q.

7 How do you calculate market

8 capitalization for Johnson & Johnson?

9 A. So it's basically, you know, the
10 market capitalization is based off of the stocks
11 that are outstanding at the current market price of
12 the stock.

13 Q. Times?

14 A. Yeah.

15 Q. So it's the market -- the stock price
16 times the amount of outstanding stock?

17 A. Yeah.

18 Q. Okay. So can you walk me through
19 looking at the Johnson & Johnson 10-K, how you
20 would -- what amount of stock you would take
21 outstanding to, then multiply it by the stock price?

22 A. Yeah, so, again, the --

23 MR. COX: Object to the form and
24 beyond the scope of the notice, but go ahead.

25 A. If you look on the first page of the

1 10-K.

2 Q. Okay.

3 A. Sorry, go to the -- it's not -- the
4 numbers are not paged, but if you go to the next
5 page.

6 Q. Okay. All right.

7 A. One more. Here we go. Yep. So here
8 you can see the aggregate market value of the common
9 stock held by affiliates computed by the reference
10 price at which common stock was last sold as of last
11 business day, the completed second fiscal quarter
12 was approximately \$355 billion.

13 Q. So presumably the method then that
14 they used to calculate the 355 billion market cap
15 was to take the number of shares of common stock
16 outstanding and multiply it by the stock price?

17 A. That's correct.

18 Q. Okay. What is your definition of
19 free cash flow?

20 A. It's available cash after paying all
21 expenses of operations and dividends.

22 Q. Are you able to look at Johnson &
23 Johnson's 10-K and tell me the free cash flow for
24 2017?

25 A. Yes. I just have to find it. It may

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